

ORDINANCE #21-382

AN ORDINANCE VACATING A PORTION OF A PUBLIC UTILITY EASEMENT WITHIN LOTS 24 & 25 OF THE ROYAL STEWART SUBDIVISION, PHASE 1, DUCHESNE COUNTY, UTAH

WHEREAS, the owners of Lots 24 and 25 of the Royal Stewart Subdivision, Phase 1, have petitioned Duchesne County to vacate a portion of the utility easement crossing their properties within said subdivision as depicted on Exhibit A attached hereto and incorporated herein; and,

WHEREAS, after giving notice and conducting a public hearing on January 6, 2021 the Duchesne County Planning Commission has recommended approval of the request as there is good cause for the vacation and no personal or public interests would be materially injured; and,

WHEREAS, after giving notice and conducting a public hearing on January 11, 2021, the Duchesne County Commissioners have accepted the Planning Commission recommendation and adopted findings to approve the easement vacation request.

BE IT HEREBY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS that:

SECTION 1. Duchesne County hereby grants the request and vacates a portion of the public utility easement within Lots 24 and 25 of the Royal Stewart Subdivision, Phase 1, as described on Exhibit A attached hereto and incorporated herein.

SECTION 2. Severability.

If any court of competent jurisdiction declares any Section of this Ordinance invalid, such decision shall be deemed to apply to that Section only, and shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared invalid.

SECTION 3. Effective Date.

This Ordinance shall become effective fifteen (15) days after publication.

DATED this 11th day of January, 2021.

ATTEST:

DUCHESNE COUNTY
BOARD OF COMMISSIONERS

JoAnn Evans
Clerk/Auditor

, Chairman

, Commissioner

, Commissioner

APN: 00-0034-9426
00-0034-9427